

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA *ex rel.* MAT
THOMAS,

Plaintiff-Relator,

v.

PREMIER HOME HEALTH CARE SERVICES,
INC.,

Defendant.

**No. 19 Civ. 11800 (JPO)
FILED UNDER SEAL**

ORDER

The United States of America (the “United States”), by its attorney, Edward Y. Kim, and the co-plaintiff states (the “States”), having now declined to intervene pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B) and pursuant to various state false claims acts, with respect to the claims raised in the above-captioned *qui tam* action;

IT IS HEREBY ORDERED THAT:

1. The complaint shall be unsealed thirty days after entry of this Order and, if the relator has not moved to dismiss the action, service upon the defendant by the relator is authorized as of that date. If the relator voluntarily dismisses the complaint pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure within this thirty-day period, the relator may seek to modify this Order with the consent of the United States and the States or by motion on notice to the United States and the States.

2. The Notices of Election to Decline Intervention shall be served by the relator upon defendant only after service of the complaint.

3. All documents filed in this action prior to the entry of this Order shall remain under seal and not be made public, except for, thirty days after entry of this Order, relator's *qui tam* complaint, this Order, and the Notices of Election to Decline Intervention.

4. Upon the unsealing of the complaint, the seal shall be lifted as to all other matters occurring in this action subsequent to the entry of this Order.

5. The parties shall serve all pleadings, motions, and notices of appeal filed in this action, including supporting memoranda and materials, upon the United States and the States. The United States and the States may order any deposition transcripts. The United States and the States may seek to intervene in this action, for good cause, at any time, or may seek dismissal of this action after intervention.

6. All further orders of this Court in this matter shall be sent to the United States and the States by the relator.

7. Should the relator propose that this action or of its allegations be dismissed, settled, or otherwise discontinued, the relator must solicit the written consent of the United States and the States before applying for Court approval.

Dated: January 17, 2025

SO ORDERED:



J. PAUL OETKEN
United States District Judge